

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**
Civil Action No. 1:21-cv-00666

TAMMY MCCRAE-COLEY,)
)
)
 Plaintiff,)
)
)
 v.)
)
)
 STARTER HOME PROGRAMS INC.)
 DbA RENTTOOWNHOMEFINDER.COM,)
)
 STARTER HOME INVESTING INC.)
 DbA RENTTOOWNHOMEFINDER.COM,)
)
 STARTER HOME PROGRAMS INC.)
 DbA LENDING CLOUD HOMES,)
)
 STARTER HOME INVESTING INC.)
 DbA LENDING CLOUD HOMES,)
)
 NATIONS INFO CORPORATION)
 DbA CREDITREVIEW.CO,)
)
 NATIONS INFO CORPORATION)
 DbA YOURSCOREANDMORE.COM,)
)
 GET RENT TO OWN CORP.)
 DbA YOURRENT2OWN.COM,)
)
 XANADU MARKETING, INC.)
 individually (Assumed Name APEX PAGE)
 BUILDER), and dba)
 CLOUDBASEDPERSONALLOANS.COM)
 and XANADUTRACKING.COM)
)
 INSURANCE-REVIEWED.COM)
)
 Defendants.)
)

JOINT RULE 26(f) REPORT

1. Pursuant to Fed. R. Civ. P. 26(f) and LR16.1(b), a meeting was held June 7, 2022 via telephone conference and was attended by Plaintiff Tammy McCrae-Coley, Mr. Edward Winkler, for Defendants Starter Home Programs, Inc. and Starter Home Investing, Inc., and William M. Butler and Sean M. Sullivan, for Defendants Nations Info Corp. and Get Rent To Own Corp.

2. **Discovery Plan**. The parties propose to the Court the following discovery plan:

a. The “commencement date” of discovery shall be upon the entry of the Initial Pretrial Order.

b. Discovery will be needed on the following subjects:

- i. Whether Defendants called or sent text messages to Plaintiff’s cellphone number, and the number of such messages;
- ii. Whether Defendants alleged messages constitute telemarketing;
- iii. Whether Plaintiff gave Defendants prior express consent or prior express written consent;
- iv. Whether Plaintiff actively pursued or invited the messages at issue;
- v. Whether Defendants violated the TCPA, including whether they used an automatic telephone dialing system;
- vi. Whether Defendants violated N.C. Gen. Stat. §§ 75-102, *et seq.*, N.C. Gen. Stat. §§ 75-1.1, *et seq.*, or N.C. Gen. Stat. § 66-261; and
- vii. Whether Plaintiff is entitled to damages and the extent of such damages.

c. Discovery shall be placed on a case-management track established in LR 26.1. The parties agree that the appropriate plan for this case is that designated in LR 26.1(a) as: Standard.

d. The parties will serve disclosures required by Rule 26(a)(1)(A) within two weeks of entry of the Initial Pretrial Order.

e. The date for the completion of all discovery (general and expert) is: four (4) months after entry of the Initial Pretrial Order.

f. Reports required by Rule 26(a)(2)(B) and disclosures required by Rule 26(a)(2)(C) are due during the discovery period:

i. From Plaintiff(s) two (2) months after entry of the Initial Pretrial Order.

ii. From Defendant(s) three (3) months after entry of the Initial Pretrial Order.

g. Supplementations will be as provided in Rule 26(e) or as otherwise ordered by the court.

3. **Preliminary Deposition Schedule.** Preliminarily, the parties agree to the following schedule for depositions:

Defendants' Deposition of Plaintiff: July 27, 2022

Plaintiff reserves the right to take depositions, but has not yet determined the persons or parties whom she will depose or the dates of such depositions.

The parties will update this schedule at reasonable intervals.

4. **Other items.** At this time, the parties do not anticipate amending any pleadings. The parties have discussed special procedures for managing this case, including reference of the case to a Magistrate Judge on consent of the parties under 28 U.S.C. §§636(c), or appointment of a master. At this time, the parties do not contemplate any special procedures for managing this case. Trial of the action is expected to take approximately 3-4 days. A jury trial has been demanded. The parties discussed whether the case will involve the possibility of confidential or sealed documents. The case may involve confidential or sealed documents, and the parties will separately submit proposed protective order pursuant to LR 26.2.

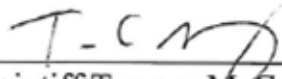
This 16th day of June, 2022.

/s/ William M. Butler

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was filed electronically on June 16, 2022. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt, including the counsel of record for the co-defendants indicated below. It has also been mailed via First Class U.S. Mail to the pro se plaintiff at the below physical addresses.

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/s/ William M. Butler
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